

## **REMARKS**

### **Substance of Examiner Interview**

Applicant thanks the Examiner for granting a telephonic interview on December 31, 2008. The attendees were the Examiner and Applicant's Attorney. The substance of the interview included discussions of prior art references Harrison, Dureau and others. Applicant discussed the pending claims in view of the prior art of record, and the basis of the rejections as set forth in the previous action.

### **Summary of the Office Action:**

1. Examiner objects to use of "anyone" in claim 7 and suggests replacing with "any one".
2. Examiner objects to use of "which that" in claim 46 and suggests replacing with "which".
3. Claims 7, 23, 24, and 48 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Application No. 2005/0028208 A1 ("Ellis").
4. Claims 15-18, 30-31 and 47 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Application No. 2004/0045039 A1 ("Harrison").
5. Claim 32 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Application No. 2002/0056112 A1 ("Dureau").
6. Claims 38-41 and 43-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Application No. 2002/0056112 A1 ("Dureau") in view of U.S. Patent 6,312,336 ("Handelman").

7. Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Application No. 2002/0056112 A1 (“Dureau”) in view of U.S. Patent 6,312,336 (“Handelman”) and further in view of U.S. Published Application No. 2002/0100063 A1 (“Herigstad”).

**Summary of the Response:**

Applicant has amended claims 15-18, 30, 38 and 46. Claims 7, 23-24, 45 and 48 have been cancelled. Claims 49-81 are new. Claims 15-18, 30-32, 38-44, 46-47 and 49-81 remain pending.

**Detailed Remarks:**

Applicant respectfully requests reconsideration of the rejections in view of the amendments presented.

With regard to Claim 15, the claimed embodiments recite, among other features, the ability of a user to operate palmtop computer in order to respond to events presented with television or multimedia content. The claimed embodiments (with exception of Claim 46) further distinguish over the cited art by reciting that the audio-video events exclude content in the form of Electronic Programming Guide or URLs from including or being considered events that trigger the user’s response. Applicant respectfully submits that these and other features distinguish the amended claims from the art of record.

The amendment made to Independent Claim 15 is representative of Independent Claims 30, 32 and 38.

Independent Claims 46, and dependent claims 49, 58, 67, 71 and 77 recite events in content that are “non-textual”. Applicant respectfully submits this further distinguishes

the claimed embodiments from cited art (e.g. EPG or displayed URL).

Other dependent claims present more details as to the type of events (e.g. person asking questions etc.). For reasons presented, Applicant submits the claimed embodiments are distinguishable from the art of record.

For all of the reasons stated, a Notice of Allowance is requested.

### **CONCLUSION**

A Notice of Allowance is respectfully requested. If there are any questions or comments that the Examiner wishes to direct to Applicant's attorney, the Examiner is invited to call Applicant's attorney at (408) 551-6632.

If there are any additional charges, please charge them to Deposit Account No. 50-1914.

Respectfully submitted,

SHEMWELL MAHAMEDI LLP

Date: March 10, 2009\_\_\_\_\_

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